IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench

Writ Petition NO. 903 /2006

HON'BLE S.B.

SERVICE MATTER

PETITIONER : Dr.N.S. Suryanarayana
aged about 50 years,
S/o. Late N.C.H. Shastri
Assistant Professor of Physics
Govt. P.G. Autonomous College
(Govt. Arts & Science College Durg)
R/o. 2/B, Street-14, Hospital Sector
Bhilai, Dist. Durg (C.G.)

P.R. No. 982/06
Presented by Shri N.K. Chakravarty
dated 19/5/06

VERSUS

RESPONDENTS :1. State of Chhattisgarh
Through : Secretary
Department of Higher Education
Mantralaya D.K.S., Bhawan , Raipur
(C.G.)

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2. Deputy Secretary
Department of Higher Education
D.K.S., Bhawan , Raipur (C.G.)
3. The Principal, Govt. P.G. Autonomous
College Durg (Govt.Arts and
Science College Durg (C.G.))

WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 903/2006 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	3-3-2006	

Shri N.K. Chatterjee, counsel for the petitioner.

Shri G.K. Beriwal, Dy. Advocate General and Shri Satish Gupta, Dy. Govt. Advocate for the State.

Heard.

By this petition under Article 226/227 of the Constitution of India, the petitioner is challenging the transfer order dated 10-2-2006 (Annexure-P/1), by which he has been transferred from Government P.G. Autonomous Arts and Science College, Durg to Government College, Kurud, District Dhamtari. The petitioner is working as Assistant Professor. The contention is that the transfer order has been issued during the ban period and in contravention of the transfer policy. Learned counsel submits that son of the petitioner is studying in class 11th and because of the transfer the education of the son of the petitioner would be adversely affected. It submitted that the wife of the petitioner is suffering from Kidney problem and getting treatment from Sector-9 Hospital, Bhilai. It is submitted that the petitioner is Coordinator of the Indira Gandhi National Open University Studies Centre at Durg, therefore, without prior consultation, he cannot be transferred.

Learned counsel for the State submits that the petitioner may be directed to submit representation before the competent authority of respondents, which shall be considered and decided on its own merits.

Having considered and without expressing any opinion on the merits of the case the petitioner is directed to make a detailed representation raising his grievances before the competent authority of respondents within a period of 15 days from today and on such

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

WP 903/2006

मामला क्रमांक ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within a period of two months from the date of receipt of representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

Learned counsel for the petitioner submits that till date the petitioner has not been relieved. He prays for grant of interim relief.

In view of the above, it is directed that the petitioner be allowed to continue, till the representation is decided.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.(W.).P. No.704/2006 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

GRPRJ—FS/350—12/2000—50,000.